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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

IN RE ABBOTT LABS NORVIR  
ANTITRUST LITIGATION

This Document Relates To: All Actions

Case Nos. **C-04-1511 CW and**  
**C-04-4203 CW**

**ORDER GRANTING STIPULATED  
REQUEST FOR ORDER POSTPONING  
SETTLEMENT CONFERENCE;**

Pursuant to Fed. R. Civ. Proc. 6(b), Civ. L.R. 6-2, and Civ. L.R. 7-11, Plaintiffs SERVICE EMPLOYEES INTERNATIONAL UNION HEALTH AND WELFARE FUND and JOHN DOES NOS. 1 AND 2 (“Plaintiffs”) and ABBOTT LABORATORIES (“Defendant”), by and through their counsel, hereby submit a stipulated request for order postponing the Continued Settlement Conference in the above captioned matters.

**RECITALS**

WHEREAS, on November 4, 2004 the parties filed a joint stipulation wherein they requested that a settlement conference be ordered in lieu of mediation pursuant to ADR Local Rule 7;

WHEREAS, the parties participated in an initial settlement conference before Magistrate Judge James Larson on March 1, 2005;

STIPULATED REQ. FOR ORDER POSTPONING  
SETTLEMENT CONFERENCE; [PROPOSED ORDER]

WHEREAS, the parties did not reach a settlement at the March 1, 2005 settlement conference but Judge Larson set a continued settlement conference date of July 26, 2005;

WHEREAS, following a case management conference and pursuant to Minute Order dated May 20, 2005 this Court ordered Defendant to file a motion for summary judgment no later than June 1, 2005;

WHEREAS, Defendant did file its summary judgment motion on June 1, 2005;

WHEREAS, on June 17, 2005 plaintiffs served notice that they would be filing a motion for additional discovery under Rule 56(f);

WHEREAS, the parties agree that it would be in the parties' best interest to postpone the settlement conference with Judge Larson until after the Court rules on the Defendant's motion for summary judgment.

## **STIPULATION**

The parties hereby stipulate, subject to the Court's approval, to the following:

1. The settlement conference currently scheduled for July 26, 2005 with Judge Larson shall be postponed until a date after this Court rules on the Defendant's motion for summary judgment.

## IT IS SO STIPULATED.

Dated: June , 2005

WINSTON & STRAWN LLP

By:

Michael A. Sweet  
Attorneys for Defendant  
**ABBOTT LABORATORIES**

1 Dated: June \_\_\_, 2005

BERMAN DeVALERIO PEASE TABACCO  
BURT & PUCILLO

8 Dated: June \_\_\_, 2005

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11 By:

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13 Attorneys for Plaintiffs  
14 JOHN DOE 1 and JOHN DOE 2

11 By:

12 Hollis L. Salzman  
13 Attorneys for Plaintiffs  
14 SERVICE EMPLOYEES  
15 INTERNATIONAL UNION HEALTH and  
16 WELFARE FUND

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1 ORDER  
2  
3 PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED that the settlement  
4 conference currently scheduled for July 26, 2005 with Judge Larson is postponed. A new date for  
5 the settlement conference will be scheduled, if appropriate, only after this Court issues a ruling on  
Defendants' pending motion for summary judgment.  
6  
7 6/28/05 /s/ CLAUDIA WILKEN  
8 Dated: \_\_\_\_\_  
9 \_\_\_\_\_  
10 Judge Claudia Wilken  
U. S. District Court  
Northern District of California  
11 cc: JL  
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